

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL J. WHITEHURST,
Plaintiff,

v.

MENDOCINO COUNTY SUPERIOR
COURT, et al.,
Defendants.

Case No. [15-cv-02599-WHO](#) (PR)

ORDER OF DISMISSAL

Dkt. No. 4


Plaintiff Michael Whitehurst has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00. His IFP application lacks two necessary documents: a Certificate of Funds completed and signed by an authorized prison officer (the one on file is blank), and a prison trust account statement showing transactions for the last six months. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Whitehurst may move to reopen the action. Any such motion must contain a complete IFP application, which includes the two documents mentioned above, or full payment for the \$400.00 filing fee.

Whitehurst's IFP application (Docket No. 4) is DENIED as insufficient.

The Clerk shall terminate Docket No. 4, enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: August 3, 2015


WILLIAM H. ORRICK
United States District Judge